

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/634,468
		Filing Date	August 5, 2003
		First Named Inventor	H. Gene Hawkins
		Art Unit	3728
		Examiner Name	Shian T. Luong
Total Number of Pages in This Submission		Attorney Docket Number	5490-000316

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<b>Response to Election/Restriction Requirement; return postcard.</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

#### Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Richard W. Warner	Reg. No. 38,043
Signature			
Date	Sept. 27, 2005		

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Richard W. Warner	Express Mail Label No.	EV 717 344 962 US (9/27/2005)
Signature		Date	Sept. 27, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EV 717 344 962 US



9-28-05

JF-W

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/634,468

Filing Date: August 5, 2003

Applicant: H. Gene Hawkins

Group Art Unit: 3728

Examiner: Shian T. Luong

Title: METHOD AND APPARATUS FOR USE OF A VACUUM  
PACKAGE FOR ALLOGRAFT MATERIAL

Attorney Docket: 5490-000316

---

Director of the United States Patent  
and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

Sir:

In response to the Restriction Requirement dated September 14, 2005, for which the time period to respond extends to October 14, 2005, Applicant elects claims of Group I (Claims 1-22) and the species of the embodiments of Figures 1-3 (Claims 1-5, 7-10, and 12-13), with traverse.

U.S. Serial No.10/634,468  
Attorney Docket No. 5490-000316

The Examiner is requested to reconsider the Restriction Requirement since it appears that the subject matter defined within all the groups of claims are similar. Consequently, the field of search for each group should be essentially coextensive. Thus, the burden on the Examiner will not be significant to maintain each group of claims in this application.

Should the Examiner have any further questions regarding the election, the Examiner is courteously requested to contact the undersigned at the Examiner's earliest convenience.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.  
Attorney for Applicant

Dated: Sept. 27, 2005

P.O. Box 828  
Bloomfield Hills, MI 48303  
(248) 641-1600

  
Richard W. Warner

Reg. No. 38,043